

Board of Water and Soil Resources (BWSR) Board Meeting

May 25, 2022

Gerald Van Amburg called the meeting to order at 9:01 a.m. The Pledge of Allegiance was recited. The agenda was adopted. The minutes of the April 27, 2022 BWSR Board (Board) meeting were approved. No one was present to address the Board in the Public Access Forum. New staff were introduced. The Conflict-of-Interest Declaration was read. **Actions of particular interest to watershed organizations are highlighted in gray.**

REPORTS

Chair & Administrative Advisory Committee

Chair Van Amburg stated the committee has not met. Carly Johnson was appointed to the BWSR Board as the non-metro representative. She was not able to attend today.

Executive Director

Executive Director Jaschke gave a **legislative session update** (included in MAWD's May newsletter) and BWSR Snapshots.

Audit & Oversight Committee

Vice Chair Collins reported that the committee has not met. No meetings are scheduled.

Dispute Resolution and Compliance Report

Rich Sve reported that the committee has not met. A meeting is scheduled for August 31. Travis Germundson explained the appeals that are pending. No new appeals have been filed.

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 93 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are no active Corrective Action Notices (CANS) and 6 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 86 of those have been resolved. Statewide 31 counties are fully compliant, and 53 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 607 CANS and 61 APOs actively in place. Of the actions being tracked over 2,215 of those have been resolved.

Todd Holmen and Mark Zabel are the new committee members. Executive Director Jaschke explained that this committee is required by statute. Travis Germundson is working with the attorney general's office on developing a training opportunity for committee members.

Grants Program and Policy Committee

Todd Holman said the committee met on May 23. The action item on the agenda was the outcome of the meeting. WBIF formula has been an ongoing discussion topic. There is consensus on the committee to build groundwater for drinking water into the formula. They hope that there will be a recommendation for the board in the fall. Kurt Beckstrom was welcomed as a member of the committee. The next meeting is scheduled for June 13.

Reinvest In Minnesota (RIM) Reserve Committee

Jayne Hager Dee reported that the committee did not meet.

Water Management and Strategic Planning Committee

Vice Chair Collins reported that the committee has not met. No meeting is scheduled.

Wetland Conservation Committee

Jill Crafton informed the Board that the committee has not met.

Buffers, Soils, and Drainage Committee

Mark Zabel stated that the committee has not met. No meeting is scheduled.

Drainage Work Group (DWG)

Neil Peterson reported that the DWG has not met. The committee will possibly meet in June.

AGENCY REPORTS

Minnesota Department of Agriculture (MDA)

Thom Peterson said that the MDA bill was approved. Drought relief and soil health funding were included. MDA received a grant from the McKnight Foundation for soil health. Information about this proposal will be released soon.

Minnesota Department of Health

Mark Wettlaufer informed the Board gave a legislative update. MDH is working on the wellhead protection rule.

Minnesota Department of Natural Resources (MDNR)

Sarah Strommen said that the MDNR had a successful Governor's Fishing Opener and the summit to support the fishing industry. It was disappointing that the legislature could not invest in this. Some drought relief funding was received. By the time that funding was approved, the focus is now on flooding. The Environmental Quality Board is going to be doing a pollinator event on June 14 in Hastings in cooperation with Dakota County Parks. Sturgeon reintroduced to the Red River are spawning this year.

Minnesota Extension

Joel Larson gave an update on drought and flooding. In a partnership with several organizations, Extension has received funding for two climate adaptation staff. Greg Klinger has been hired for the agriculture position. Jeanie Mosul was hired for the forestry position. The Nature Conservancy thanked Extension for their assistance in a grant proposal They were awarded a grant for climate resiliency.

Minnesota Pollution Control Agency (MPCA)

Katrina Kessler spoke about opportunities that will be missed if the bonding bill is not passed. MPCA is receiving funding from Legislative-Citizen Commission on Minnesota Resources (LCCMR) for failing septic systems. EPA announced \$113M coming to Minnesota for projects in the Duluth/Superior Harbor and St. Louis River areas through the Great Lakes Restoration Initiative.

ADVISORY COMMENTS

Association of Minnesota Counties (AMC)

Brian Martinson expressed AMC's disappointment with the legislature not passing many bills. He gave a legislative update. He is looking forward to working with the DWG. AMC staff will be hosting meetings in each of their 10 districts over the next several weeks.

Minnesota Association of Conservation District Employees

No report was given.

Minnesota Association of Soil and Water Conservation Districts (MASWCD)

LeAnn Buck expressed agreement with the other agencies about disappointment that the omnibus bills did not pass. SWCDs did receive \$6M per year. They are still going to work on how to secure the state's share of capacity funding. The work of SWCDs in partnership with MDA, BWSR, and NRCS leveraged money for irrigation cost-share.

MAT

Eunice Biel said that the 1st Congressional District primary was held on May 24. The election judges will need training for the 2022 election. There will be a special election in August to finish Jim Hagedorn's term. Candidates will also have to run for election in November. She gave an update on upcoming training.

Minnesota Association of Watershed Districts (MAWD)

MAWD Executive Director Javens thanked BWSR for offering the hybrid meeting schedule. She welcomed the new Human Resources director. She was happy to note that time is allowed for local governments to call the HR director with questions. This will be helpful for small watershed offices with limited resources. She welcomed Justin Hanson and is looking forward to meeting with him. She agreed with his opening comments that this is a time to reset. MAWD is also looking at how to work more efficiently and effectively.

MAWD’s number one goal was to increase the general operating levy. Unfortunately, that bill got stuck in conference committee and didn’t make it into an omnibus bill. MAWD will be working with partners on how to resolve this issue. MAWD’s number two goal was flood hazard mitigation funding through the bonding bill. It is disappointing that the legislature could not agree to invest in reducing risks to infrastructure and agriculture. On a positive note, the drainage registry bill was not passed. She looks forward to discussing this in the DWG. The Summer Tour is planned for August 24-25 in the Red River Basin (RRB). There is potential for interaction with local, state, federal, and possibly international agencies and organizations.

Natural Resources Conservation Service (NRCS)

Troy Daniell was not able to attend. He sent John Jaschke a note about NRCS activities that will be included in the minutes.

[A 10-minute break was taken.]

COMMITTEE RECOMMENDATIONS

Central Region Committee

Rum River Comprehensive Watershed Management Plan (Plan)

Joe Collins reported that the Central Region Committee received a presentation on the plan and recommends approval. Jason Weirnerman explained that the Rum River Plan was developed as part of the State of Minnesota’s One Watershed One Plan (1W1P) program. The State’s vision and purpose of the 1W1P program is to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted, and measurable implementation plans. The process results in a comprehensive watershed plan and offers the opportunity for groups and organizations to work together in both planning and implementation across jurisdictional boundaries. While the Plan is comprehensive in that it includes improvements and protection for a variety of natural resources across a large geographic area, it also incorporates detail in its prioritization and targeting actions and outcomes for specific waterbodies. On May 5, 2022, the Central Region Committee met to review and discuss the Plan. The Committee’s decision was to recommend approval of the Rum River Plan as submitted. The Rum River Plan was unanimously approved.

Grants Program and Policy Committee

ML 2015, 2017 and 2019 Clean Water Fund Capacity and ML 2017 Clean Water Fund (CWF) Buffer Cost-Share Reallocation

Dusty Van Thuyne explained that the Conservation Reserve Enhancement Program (CREP) Outreach and Implementation Program grants are awarded to SWCD to employ staff to work on activities related to the CREP. These grants utilize an Environment and Natural Resources Trust Fund (ENRTF) appropriation as recommended by the LCCMR. The ENRTF appropriation is set to expire June 30, 2022, however, there is still a CREP workload that local government unit (LGU) staff are working on, ranging from application submittal to restoration oversight and easement recording. Four CWF appropriations have been identified to be utilized to amend existing FY 2022 CREP Outreach and Implementation Program grants to allow LGU staff to continue providing technical assistance to landowners interested in the CREP. The CREP Outreach and Implement grants were approved.

FY23 MN CREP Outreach and Implementation Program Continuation Grants

Dusty Van Thuyne explained the FY23 MN CREP Outreach and Implementation Program Continuation Grants Board Order, that would authorize the use of funds from Laws of Minnesota 2015, 1st Special Session,

Chapter 2, Article 2, Section 7(o), Laws of Minnesota 2017, 1st Special Session, Chapter 91, Article 2, Section 7(n), Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sect. 7(o), and Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(n) to be available for grants to LGUs to provide technical assistance to landowners for conservation practices related to CREP. The FY23 MN CREP Outreach and Implementation Program Continuation Grants were approved.

NEW BUSINESS

Red River Watershed Management Board (RRWMB)

Rob Sip gave a PowerPoint presentation covering RRWMB background, 45th anniversary, COVID impacts, operating budget, funding commitments, 2021 LiDAR deliverables and current activity, 2020 to 2022 key activities, and a legislative update. He also provided an update on winter and spring weather conditions and flooding in the RRB.

UPCOMING MEETINGS

- **Grants Program and Policy Committee:** June 13
- **BWSR Board:** June 22

The meeting adjourned at 12:07 p.m.

Notes submitted by Jan Voit